

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

JAVIER DELGADO

PLAINTIFF

v.

Case No. 1:19-cv-1039

WEYERHAEUSER COMPANY

DEFENDANT

**ORDER**

Before the Court is the parties' Stipulation of Dismissal With Prejudice. (ECF No. 52). The parties stipulate to the dismissal of this case with prejudice, with each side bearing its own fees and costs. An action may be dismissed by "a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). "Caselaw concerning stipulated dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of dismissal is effective automatically and does not require judicial approval." *Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). The instant stipulation of dismissal is signed by Plaintiff and Defendant. Thus, Plaintiff's claims against Defendant were effectively dismissed when the parties filed the instant stipulation. However, this order issues for purposes of maintaining the docket.

To the extent that the parties' stipulation (ECF No. 52) constitutes a motion, it is hereby **GRANTED**. Accordingly, this case is **DISMISSED WITH PREJUDICE**. The parties shall bear their own fees and costs.

**IT IS SO ORDERED**, this 17th day of February, 2022.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge